

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 36, “Extracurricular Interscholastic Competition,” Iowa Administrative Code.

The amendment eliminates a religious beliefs-based exemption to the requirement that all secondary students who desire to participate in interscholastic athletics undergo a physical examination prior to such participation. Department staff have researched the issue and determined that there is no basis for the exemption, and as a matter of student safety, the language allowing the exemption should be stricken.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the February 23, 2011, Iowa Administrative Bulletin as **ARC 9374B**. Notice was also provided to all members of the Iowa High School Athletic Directors Association through the Association’s March 2011 newsletter and was published in the February 2011 “School Leaders Update,” an electronic publication sent to school superintendents and available to the public on the Department’s Web site. Public comments were allowed until 4:30 p.m. on March 15, 2011. No written or oral comments were received by the Department.

This amendment is identical to that published under Notice.

This amendment shall become effective May 25, 2011.

This amendment is intended to implement Iowa Code section 280.13.

The following amendment is adopted.

Amend subrule 36.14(1) as follows:

36.14(1) Physical examination. Every year each student shall present to the student’s superintendent a certificate signed by a licensed physician and surgeon, osteopathic physician and surgeon, osteopath, qualified doctor of chiropractic, licensed physician assistant, or advanced registered nurse practitioner, to the effect that the student has been examined and may safely engage in athletic competition.

Each doctor of chiropractic licensed as of July 1, 1974, shall affirm on each certificate of physical examination completed that the affidavit required by Iowa Code section 151.8 is on file with the Iowa board of chiropractic examiners.

The certificate of physical examination is valid for the purpose of this rule for one calendar year. A grace period not to exceed 30 days is allowed for expired physical certifications.

~~A student shall not be required to submit to a physical examination if the student’s parent or 18-year-old student submits to a school administrator an affidavit that the physical examination requirement conflicts with the tenets and practice of a recognized religious denomination of which the student is an adherent or member.~~

[Filed 4/1/11, effective 5/25/11]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/20/11.